

SECRET631
C S-475

Approved For Release 2001/08/24 : CIA-RDP57-00384R001100070014-0

Office Memorandum • UNITED STATES GOVERNMENT

TO : FILES

DATE: 10 April 1951

FROM : General Counsel

SUBJECT: Enforcement of Export License Controls

25X1A

OGC HAS REVIEWED.

25X1A

1. [REDACTED] Chief, Information Control/SO, called on 9 April to say that he had been informed of an enforcement proceeding by the Department of Commerce against a domestic exporter in which at least part of the evidence was based on information furnished by OSO in a confidential memorandum. [REDACTED] stated that the information as such forwarded by OSO, including bills of lading, was, of course, intended to be used but that the source and the CIA connection must be protected. He wished to be sure that the OSO memorandum would not be put in the record and that it could not be inspected as a matter of right by the defendant.

2. I talked to Mr. Alfred Meisner, an Assistant Attorney in the Office of International Trade, and discussed their procedures for handling such confidential memoranda. Mr. Meisner was fully familiar with the problem and explained that for State and ourselves, and any others concerned, the procedure was to excerpt from confidential memoranda (or in the case of airgrams and cables to paraphrase) and then to have the attorney who was to conduct the enforcement proceeding ascertain that the excerpt or paraphrase accurately reflected the original information. He then could use the information as evidence produced by the Government without reference to the Agency or the methods concerned. The defendant would have no right to demand inspection of any records or material except those put into the record by the Commerce attorney.

3. In the present case, the bills of lading forwarded by OSO had been stamped CONFIDENTIAL, but Mr. Meisner informed me that they had been able to obtain duplicates from the shipping agent in New York which would be used in the actual proceedings. I told Mr. Meisner that this procedure seemed completely satisfactory from the CIA point of view and so informed [REDACTED].

25X1A

25X1A

[REDACTED]
LAWRENCE R. HOUSTON

25X1A

cc: [REDACTED]

SECRET

CENTRAL INTELLIGENCE AGENCY
 OFFICIAL ROUTING SLIP

TO		INITIALS	DATE
1	Chief, Information Control/SO Att: [REDACTED]		
2			
3			
4			
5			
FROM		INITIALS	DATE
1	General Counsel		
2			
3			

☐ APPROVAL ☐ INFORMATION ☐ SIGNATURE
☐ ACTION ☐ DIRECT REPLY ☐ RETURN
☐ COMMENT ☐ PREPARATION OF REPLY ☐ DISPATCH
☐ CONCURRENCE ☐ RECOMMENDATION ☐ FILE

REMARKS:

I am putting this in the files as it may come in handy for future reference both on this case and on the general practice.

For your information, Mr. Misner told me that Medalia is back as Chief of the Enforcement Division after a tour of duty in New York.

LAWRENCE R. HOUSTON

SECRET CONFIDENTIAL RESTRICTED UNCLASSIFIED